



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231 on September 12, 2001.*

*Margaret A. Sullivan*

Applicant : Alan Mikhak  
Application No. : 09/706,360  
Filed : November 2, 2000  
Title : WIRELESS CABLE REPLACEMENT  
SYSTEM  
  
Grp./Div. : Not yet assigned  
Examiner : Not yet assigned  
  
Docket No. : 40596/CAG/B600

DECLARATION OF D. BRUCE PROUT IN SUPPORT OF  
PETITION UNDER 37 C.F.R. 1.47

I, D. Bruce Prout, hereby declare:

1. I am a partner of Christie, Parker & Hale, LLP and am outside patent counsel for Broadcom Corporation (hereafter "Broadcom").

2. I was advised by Broadcom that an alleged ownership dispute had arisen between Alahyar Alan Mikhak and Broadcom Corporation as to the rights in the above identified Patent Application (hereinafter, "Application").

3. To help facilitate a resolution of this dispute, I caused a copy of the Application, along with a cover letter to be sent by Federal Express to James B. Hicks, legal counsel for Mikhak, addressed to the law firm of Ervin, Cohen & Jessup, LLP, 9401 Wilshire Blvd.,

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to the law firm of Ervin, Cohen & Jessup, LLP, 9401 Wilshire Blvd., 9<sup>th</sup> Floor, Beverly Hills, CA 90212. A true and correct copy of the cover letter is attached as Exhibit A.

4. A Notice to File Missing Parts (hereafter the "Notice") from the U.S. Patent and Trademark Office in the Application requires that a Declaration executed by Mr. Mikhak be filed within two months from the date of the Notice. The date of the Notice is February 12, 2001. Pursuant to 37 CFR 1.136, the time period for replying to the Notice can be extended up to five months after the time period set for reply. Accordingly, a Declaration executed by Mr. Mikhak must be filed with the United States Patent and Trademark Office on or before September 12, 2001 to prevent irreparable damage to Broadcom through the abandonment of the Application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date Sept 12, 2001

By D. Bruce Prout  
D. Bruce Prout